

## United States Postal Service

## § 255.1

if not claimed by the loser. If the name of the finder cannot be obtained, and the article is not claimed within 30 days, it must be disposed of in the same manner as unidentified material found loose in the mail. Do not return postal money orders to the finder. Mail to Money Order Branch, Accounting Division, U.S. Postal Service, General Accounting Office Building, Washington, DC 20260, with a memorandum of explanation.

(d) *Public use of restrooms.* Restrooms off public corridors shall normally be kept open during regular hours of business for the benefit of the public. Where vandalism or loitering cannot be controlled, postmasters may lock restrooms, furnishing those agencies served by the restrooms, keys for employee use. This shall not be construed to permit access by nonpostal personnel to restrooms in restricted postal areas.

(e) *Letter drops.* At all except fourth-class post offices, provide a regulation letterbox for depositing mail in front of or next to the post office. Show collection time schedules on letterboxes. At fourth-class offices, if a letterbox is not supplied, provide a slot in the outer post office door. When messengers or star route carriers have access to lobbies, door slot deposits must lead to a locked box.

(f) *Hour signs.* Display hours of window service prominently at all first-, second-, and third-class post offices, classified stations and branches, and annexes. Use Sign 41, Hours decal set, available in supply centers.

(g) *Service of process on postal premises.* Postmasters or other installation heads shall permit service on postal premises of civil and criminal process affecting employees in personal matters, when such service of process will not interfere with postal operations. Process servers should be directed to the postmaster's or installation head's office, where the employee will be called in and service made. Section 265.10 of this chapter contains rules regarding compliance with subpoena duces tecum, court orders, and summonses where official business or official records are involved.

(h) *Public service areas—prohibited items.* Photographs of an incumbent or

former President or Postmaster General are not to be displayed in post office lobbies or in common use public service areas such as elevator lobbies and corridors in facilities owned by or leased to the Postal Service. Further, such photographs are not to be requisitioned or purchased by postal installations at Postal Service expense.

(39 U.S.C. 501)

[36 FR 4765, Mar. 12, 1971, as amended at 39 FR 38376, Oct. 31, 1974; 40 FR 8820, Mar. 3, 1975; 42 FR 33722, July 1, 1977; 44 FR 39854, July 6, 1979]

### General Postal Administration

#### PART 255—ACCESS OF HANDICAPPED PERSONS TO POSTAL SERVICES, PROGRAMS, FACILITIES, AND EMPLOYMENT

Sec.

255.1 Discrimination against handicapped persons prohibited.

255.2 Special arrangements for postal services.

255.3 Access to postal facilities.

255.4 Other postal regulations; authority of postal officials and employees.

AUTHORITY: 39 U.S.C. 101, 401, 403, 1001, 1003, 3403, 3404; 29 U.S.C. 791, 794.

SOURCE: 50 FR 14102, Apr. 10, 1985, unless otherwise noted.

#### § 255.1 Discrimination against handicapped persons prohibited.

(a) *Policy.* Postal Service policy is to comply fully with sections 501 and 504 of the Rehabilitation Act of 1973, and other applicable laws. Accordingly, no otherwise qualified handicapped individual shall, solely by reason of his or her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity operated by the Postal Service, or in employment.

(b) *Definition.* For purposes of paragraph (a) of this section, the term *handicapped* applies to a person who has, has a record of, or is regarded as having, a physical or mental impairment which substantially limits one or more of such person's major life activities.

(c) *Customer Service Complaints—(1) How made.* Handicapped customers who

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believe that they have been discriminated against in the provision of postal services or programs should file a written complaint with their local postmasters or other local postal official responsible for such services or programs. The customer should provide, or be willing to provide upon request, sufficient information regarding the matter to permit a complete examination of all of the relevant circumstances concerning the complaint.

(2) *Resolution.* A local official receiving a complaint by a handicapped customer about access to postal programs and services must process it in accordance with this part. The official should review the complaint, and consult with the district office as needed, to determine if corrective action is necessary. Corrective action can include a special arrangement for postal services under § 255.2, or a discretionary retrofit to the facility under § 255.3. The decision about which corrective action to take, if any, should be made within the time limits set forth in paragraph (c)(3), or sooner if possible.

(3) *Time Limits.* If a complaint cannot be resolved within fifteen (15) days the customer must be sent a written acknowledgment of the receipt of the complaint. If the complaint cannot be resolved within thirty (30) days of its receipt, the customer must be sent an interim report in writing, including a statement of when the matter is expected to be resolved. Whenever it appears that a complaint cannot be resolved within sixty (60) days of its receipt, a written report and explanation must be submitted to the appropriate district manager. Local managers may prescribe shorter time limits for complaint responses within their area of responsibility by memorandum or other appropriate written directive.

(4) *Automatic review.* If the local official proposes to deny a request or complaint by a handicapped customer for a special arrangement or the alteration of a facility, the proposed decision shall be submitted to the appropriate district manager. The customer must be notified in writing of the approved decision.

(5) *Exhaustion of administrative remedies.* If a customer service complaint filed under this paragraph (c) is not re-

solved within 60 days of its receipt, the customer may seek relief in any other appropriate forum, including the right to appeal to the Customer Advocate in accordance with Postal Operations Manual 166. The Postal Service may continue to consider the complaint after the expiration of the 60 day period.

(d) *Postal Employment.* Discrimination against otherwise qualified handicapped postal employees or job applicants is prohibited, under section 501 of the Rehabilitation Act of 1973, 29 U.S.C. 791, and by implementing regulations promulgated by the Equal Employment Opportunity Commission and the Postal Service. Complaints of discrimination against handicapped applicants or employees may be made in accordance with the procedures prescribed in the Employee and Labor Relations Manual (ELM) concerning Equal Employment Opportunity, which apply to discrimination against handicapped persons.

[50 FR 14102, Apr. 10, 1985, as amended at 62 FR 66996, 66997, Dec. 23, 1997]

### § 255.2 Special arrangements for postal services.

(a) *Policy.* The Postal Service offers all of its services to all of its customers without discrimination. Customers who would have difficulty using or be unable to use certain services may be eligible under postal regulations for special arrangements. Some of the special arrangements that the Postal Service has authorized are listed below. No customer is required to use any special arrangement offered by the Postal Service, but a customer's refusal to make use of such special arrangement does not require the Postal Service to offer other special arrangements to that customer.

(1) *Carrier Delivery Services and Programs.* See Postal Operations Manual 631.42.

(2) *Postal Retail Services and Programs—(i) Stamps by mail, phone, or on consignment.* See Postal Operations Manual 151–153.

(ii) *Retail Service from Rural Carriers.* See Postal Operations Manual 652–653.

(iii) *Self-Service Postal Centers.* Self-Service Postal Centers (SSPCs) contain vending equipment for the sale of